

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 NEA-10 SSO-00 NSCE-00 INRE-00
CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00
CIEP-01 FAA-00 L-03 NSC-05 /048 W
----- 045046 /46
O 171509Z DEC 76
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 8077

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E.O. 11652: N/A
TAGS: EAIR, FR
SUBJECT: CIVAIR: ALLEGED REBATING BY PAKISTAN INTER-
NATIONAL AIRLINES

REF: PARIS 36992

1. AFFIDAVITS EXECUTED DEC. 17 BY MERY AND COMMEAU,
PANAM DIRECTOR FOR FRANCE, AND NOTARIZED AT EMBASSY.
ORIGINALS OF AFFIDAVITS FORWARDED SAME DATE VIA AIR
POUCH TO DEPT. (ATTENTION RIMAS EB/AN) FOR TRANSMITTAL
TO CAB BUEEAU OF ENFORCEMENT. EMBASSY HAS APPENDED TO
ORIGINAL AN INFORMAL TRANSLATION OF MERY'S AFFIDAVIT,
WHICH WAS DRAWN UP IN FRENCH. MERY IS HANDCARRYING
CERTIFIED TRUE COPIES OF AFFIDAVITS WHICH HE WILL
GIVE TO CAB REPS MEETING FLIGHT IN NEW YORK.

2. MERY ASKED THAT UPON ARRIVAL IN NEW YORK HE NOT
RPT NOT BE IMMEDIATELY SINGLED OUT BY CAB REPS BUT
THAT HIS ENCOUNTER WITH THEM APPEAR TO OCCUR NATURALLY
DURING CAB QUESTIONING OF PASSENGERS. EMBASSY HOPES
CAB WILL RESPECT MERY'S WISH.

3. RELATIONSHIP BETWEEN MERY AND PANAM HAS BEEN
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CLARIFIED AT MERY'S REQUEST SO THAT IN HIS CAPACITY
AS LAWYER HE HAS BEEN RETAINED BY PANAM FOR THIS
OPERATION. PANAM HAS THUS AGREED TO COVER MERY'S FULL
EXPENSES WHILE IN THE US AS WELL AS TO PAY HIM A
MODEST FEE FOR HIS SERVICES. WHEN ASKED WHETHER HE
THOUGHT THIS ARRANGEMENT WAS PROPER, EMBASSY CAA

REPLIED THAT HE SAW NO REASON WHY IT WAS NOT THOUGH
OF COURSE FINANCIAL ARRANGEMENTS WERE PURELY PRIVATE
MATTER BETWEEN MERY AND PANAM.

4. MERY AFFIDAVIT INDICATES PIA TICKET WAS PURCHASED
FROM PARIS OFFICE OF ORGANIZATION CALLED INTERNATIONAL
UNION OF STUDENTS (IUS). HE WAS REQUIRED PAY 50 FR.
MEMBERSHIP FEE TO JOIN IUS BEFORE HE COULD ORDER TICKET.
(ACCORDING MERY, UNDER FRENCH LAW IUS CAN ONLY SELL
TRANSPORTATION TO ITS MEMBERS AND NOT TO THE GENERAL
PUBLIC.) PRICE THEN PAID BY MERY FOR TICKET WAS 2,050
FRS., THOUGH PRICE SHOWN ON TICKET READS 3,310 FR.
TICKET IS STAMPED AS HAVING BEEN ISSUED IN LONDON. US
REP ADMITTED TO MERY THAT TICKET WAS "A BIT IRREGULAR"
BUT SAID "SMALL COMPANY" SUCH AS PIA NEEDED HELP IN
FILLING UP ITS AIRCRAFT. MERY WAS WARNED THAT IF HE
WAS QUESTIONED ON DEPARTURE HE SHOULD PRETEND TO HAVE
PURCHASED TICKET IN LONDON (WHICH, OF COURSE, WOULD NOT
EXPLAIN DISCREPANCY OF DENOMINATION OF TICKET IN FRENCH
FRANCS ALONGSIDE STAMP INDICATING LONDON ISSUANCE). HE
WAS FURTHER WARNED THAT TALKING ABOUT THE TRANSACTION
COULD BRING TROUBLE ON HIM AND IUS.

5. MERY MADE PAYMENT BY CHECK AND ALSO OBTAINED IUS
RECEIPT, ORIGINAL OF WHICH IS APPENDED TO ORIGINAL OF
AFFIDAVIT, SHOWING ACTUAL AMOUNT PAID FOR TRANSPORTA-
TION. HE WAS TOLD TICKET DID NOT HAVE TO BE USED NECESS-

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CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00
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ARILY ON DATES FOR WHICH ISSUED, BUT COULD BE USED FOR TRAVEL ON TUESDAYS AND SATURDAYS IN EITHER DIRECTION AND WAS VALID FOR ONE YEAR.

6. APROPOS PARA 3 REFTTEL, MERY CITED TO US SEVERAL COUNTS ON WHICH FRENCH LAW HAD BEEN VIOLATED I N THIS TRANS-ACTION, IN ADDITION TO TICKET DISCOUNTING PER SE.

7. IN TALKING WITH COMMEAU WE EXPRESSED SOME DISAPPOINTMENT TICKET HAD BEEN PURCHASED THROUGH SMALL, HOLE-IN-THE -WALL ORGANIZATION RATHER THAN THROUGH ESTABLISHED, REPUTABLE TRAVEL AGENCY. WE RECALLED THAT EARLIER PIA TEST TICKET WHICH PANAM HAD TURNED OVER TO CAB HAD BEEN PURCHASED THROUGH A LEADING TRAVEL AGENCY. COMMEAU SAID HE HAD DECIDED AGAINST GOING THE AGENCY ROUTE AGAIN IN ORDER NOT RISK JEOPARDIZING PANAM'S COMMERCIAL RELATIONS WITH ANY GIVEN AGENCY. WE SAID THAT IF WE HAD BEEN ALERTED TO THIS CONCERN SOONER WE COULD HAVE EXPLORED POSSIBILITY OF CAB FINANCING OF TEST TICKET PURCHASE SO THERE WOULD BE NO PANAM INVOLVEMENT. (COMMENT: ANYWAY, REGARDLESS OF INTERMEDIARY THROUGH WHOM TICKET WAS PURCHASED, PIA DISCOUNTING HAS CERTAINLY BEEN DOCUMENTED LIMITED OFFICIAL USE

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BY THE TRANSACTION AT IUS.)

8. MERY IMPRESSED US QUITE FAVORABLY. HE CONFIRMED HE IS ENTIRELY WILLING SUBMIT TO QUESTIONING UNDER OATH AND TO HAVE HIS COMMENTS RECORDED IN DEPOSITION OR ON TAPE.
RUSH

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